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24 UNITED STATES DISTRICT COURT  
25  
26 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
27  
28 WESTERN DIVISION

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30 UNITED STATES OF AMERICA, ) NO. CV 10-2287-AHM (AJWx)  
31 )  
32 Plaintiff, )  
33 )  
34 v. ) CONSENT JUDGMENT  
35 )  
36 \$290,040.00 IN U.S. CURRENCY )  
37 AND \$21,882.00 IN U.S. )  
38 CURRENCY, )  
39 )  
40 Defendants. )  
41 )  
42 \_\_\_\_\_

43  
44 In this action, plaintiff United States of America (the  
45 "government") alleges that the defendants \$290,040 in U.S. Currency  
46 and \$21,882 in U.S. Currency (collectively, the "defendants") are  
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1 subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6) on the  
2 ground that the defendants constitute proceeds traceable to one or  
3 more exchanges for a controlled substance or listed chemical in  
4 violation of 21 U.S.C. § 841 *et seq.*

5 The government and potential claimants Jesus Sanchez  
6 ("Sanchez") and Aide Yadira Bautista (individually, "Bautista," and  
7 collectively with Sanchez, the "claimants") have agreed to settle  
8 this forfeiture action and to avoid further litigation by entering  
9 into this consent judgment.

10 The Court, having been duly advised of and having considered  
11 the matter, and based upon the mutual consent of the parties,  
12 HEREBY ORDERS, ADJUDGES, AND DECREES:

13 1. This Court has jurisdiction over this action pursuant  
14 to 28 U.S.C. §§ 1345 and 1335.

15 2. The Complaint states claims for relief pursuant to 21  
16 U.S.C. § 881(a)(6).

17 3. Notice of this action has been given as required by  
18 law. No appearance has been made in this action by any person, and  
19 the time to file a claim and an answer has expired. The Court deems  
20 that all potential claimants other than the claimants admit the  
21 allegations of the Complaint to be true, and hereby enters default  
22 against all such potential claimants.

23 4. The defendant \$290,040 in U.S. Currency and any interest  
24 accrued thereon shall be forfeited to the United States of America,  
25 which shall dispose of the same according to law.

26 5. The defendant \$21,882 in U.S. Currency and any interest  
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accrued thereon shall be returned to the claimants no later than forty-five (45) days from the entry of this judgment by electronic transfer directly into the account entitled "Paul L. Gabbert, Client Trust Account."

5       6. The claimants hereby release the United States of America,  
6 the State of California, all counties, municipalities and cities  
7 within the State of California, and their agencies, departments,  
8 offices, agents, employees and officers, including, but not limited  
9 to, the United States Attorney's Office, the Drug Enforcement  
10 Administration, and their employees and agents, from any and all,  
11 known or unknown, claims, causes of action, rights, and liabilities,  
12 including, without limitation, any claim for attorney's fees, costs,  
13 or interest which may be now or later asserted by or on behalf of  
14 the claimants, arising out of or related to this action, or the  
15 seizure or possession of the defendants. The claimants represent  
16 and agree that they have not assigned and are the rightful owners of  
17 such claims, causes of action and rights.

18       7. The claimants also agree to hold harmless and indemnify  
19 the United States, the United States Attorney's Office and the Drug  
20 Enforcement Administration and their employees from all claims by  
21 any third parties to the defendant \$21,882 in U.S. Currency and any  
22 interest accrued thereon being returned to the claimants.

23       8. The Court finds that there was reasonable cause for the  
24 seizure of the defendants and institution of these proceedings.  
25 This judgment shall be construed as a certificate of reasonable  
26 cause pursuant to 28 U.S.C. § 2465.

1       9. The parties shall each bear their own attorney's fees and  
2 other costs and expenses of litigation.

DATED: June 3, 2010

A. Howell

A. HOWARD MATZ  
UNITED STATES DISTRICT JUDGE

JS-6

CONSENT

The parties consent to judgment and waive any right of appeal.

DATED: \_\_\_\_\_, 2010 ANDRÉ BIROTE JR.  
United States Attorney

CHRISTINE C. EWELL  
Assistant United States Attorney  
Chief, Criminal Division

STEVEN R. WELK  
Assistant United States Attorney  
Chief, Asset Forfeiture Section

/s/  
PIO S. KIM  
Assistant United States Attorney

Attorneys for Plaintiff  
United States of America

DATED: \_\_\_\_\_, 2010

/s/  
JESUS SANCHEZ  
Potential Claimant

DATED: , 2010

/s/  
AIDE YADIRA BAUTISTA  
Potential Claimant

Approved as to form and content.

1 DATED: \_\_\_\_\_, 2010

2 \_\_\_\_\_ /s/

3 PAUL GABBERT  
4 Attorney for Potential Claimants  
5 Jesus Sanchez and Aide Yadira  
6 Bautista  
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